

Case 1:08-cv-01512 Document 7 Filed 03/24/2008 Page 1 of 6
AS Amended For District Clerk (7)
THANK YOU VERY MUCH.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

MAR 24 2008 *aw*

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

MAR 24 2008

James M. Witzthum

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: 08 C 1512
(To be supplied by the Clerk of this Court)

TOM DART (SHERIFF C.C.)

SALVADOR GONZALEZ (DZR)

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:



COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: James M Northern
- B. List all aliases: David Scott
- C. Prisoner identification number: 2007-0071905
- D. Place of present confinement: Cook County Jail
- E. Address: 2700 South California Street, Chicago IL, 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: TOM DART
 Title: Sheriff of Cook County
 Place of Employment: Cook County Jail / Daley Center
- B. Defendant: SALVADOR GODINEZ
 Title: Director of Cook County Jail
 Place of Employment: Cook County Jail / executive office
- C. Defendant: _____
 Title: _____
 Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: James Warthem v.
Deputy "Boyle" Case # 07C 6589
- B. Approximate date of filing lawsuit: 11/21/07
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: James M Warthem (AKA) David Scott
- D. List all defendants: Deputy "Boyle"
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Northern District of Illinois - Eastern Division
- F. Name of judge to whom case was assigned: Honorable Judge Leinenweber
- G. Basic claim made: Assault/Use of excessive force
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Granted in leave of forma pauperis
- I. Approximate date of disposition: 2/4/08

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

The C.C.D.O.C. Directors Office issued out an illegal Memo to be posted on each and every single tier throughout the C.C.I. Compound on 10/26/07 Regarding a co-payment for Hospital and/or Doctor services that would become effective on 12/1/07 in that all Detainees/Inmates would be required to pay a \$10 per visit Hospitalization Fee and that even if an indigent Just as myself could not pay, they would confiscate those funds as it became available and in all reality it wouldn't be considered, the illegal taking or Theft/Robbery of my money but that of my families money of whom are hard working tax payers of Illinois. This case law within the memo compelled me to do an investigation on this matter and I found that it is illegal due to my being a pre-trial detainee and even if I was convicted of a crime and sent to I.D.O.C. I'd only be charged \$2 for a hospital visit. I then began submitting Grievance after Grievance concerning the C.C.D.O.C. Officials extortion scheme and Robbery. Then I began to notice that staff took down these illegally written

and posted up Memo's that could of only been to My catching onto their Scheme or plot for Personal Greed or Reasons. Such as even to cover up for a captain belly of whom Got caught for Stealing an un-known Amount of currency from the "Inmate Welfare Fund" and of whom is currently going to court after an investigation of Stealing large amounts of Cleaning Supplies only to re-sell them in bulk, to various companies and so Mr. Tom Dart and Salvador Godinez figured they'd be able to charge that loss on the Detainees within their control. so as to Re-fill the loss of funds Stolen by one of their official staff Member(s) by attempting to or have already began skimming or taking Detainees Money. This is a huge scandal, OFFICIAL Misconduct, their extreme Gross negligence, Reckless Disregard and Deliberate Indifference for both my 8th Amend. violation towards civil and unusual punishment in that if I don't have the \$10 fee that I'd be denied proper Medical Attention or that my \$10 fee would be illegally confiscated off of my account without my consent. This is a violation of my Civil Rights and a sheriff nor a county has any authority to take my or any other Detainees commissary money for any hospital fees, I am a pre-trial Detainee and have not been convicted of any crimes so it is the duty of the sheriff to provide any medical emergencies or Healthcare towards the Detainees they currently house. with this⁵ I'd like to add that my 14th Amend. is violated. where is my Due process and equal Protection at?

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I'd please like the court to award Me with punitive and compensatory damages along with attorney's fees for Denying Me Due Process Rights and Equal Protections into the proper access into Medical. This is Damaging to my Mental and Physical health. I don't have that Money and I'd like High Ranking officials to Step Down and be charged for these Illegal acts of Racketeering, extortion, and Robbery. \$15. Million Dollars

VI. The plaintiff demands that the case be tried by a jury. ☐ YES ☒ NO Awarded to me.

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 19th day of March, 2008

James Worthem

(Signature of plaintiff or plaintiffs)

James M Worthem

(Print name)

2007-0071905

(I.D. Number)

James M Worthem

P.O. Box 089002

Chicago Illinois, 60608

(Address)